

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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EVA AGERBRINK,	:	ECF Case
	:	
	:	
Plaintiff,	:	
	:	14 Civ. 7841 (JPO) (RWL)
	:	
vs.	:	
	:	
MODEL SERVICE LLC d/b/a MSA MODELS,	:	
SUSAN LEVINE and WILLIAM IVERS,	:	
	:	
Defendants.		
-----	X	

STIPULATION AND REQUEST FOR FINAL ORDER AND JUDGMENT

WHEREAS, the only two remaining issues for trial are: (1) what sum above \$13,768.15 (with applicable interest), if any, MSA owes Plaintiff Agerbrink for her unjust enrichment claim; and (2) the resolution of Defendants' counterclaim for breach of contract.

WHEREAS, the parties have mutually agreed to dismiss their respective claims for unjust enrichment and breach of contract.

WHEREAS, the parties desire that the Court immediately enter a final appealable order and judgment after their execution of this stipulation.

IT IS HEREBY STIPULATED, AGREED, AND ORDERED THAT:


1. Plaintiff agrees to the dismissal with prejudice of her claim for unjust enrichment.
Plaintiff agrees to waive her right to appeal regarding her claim for unjust enrichment.

2. Defendants agree to the dismissal with prejudice of their counterclaim for breach of contract. Defendants agree to waive their right to appeal regarding their claim for breach of contract.

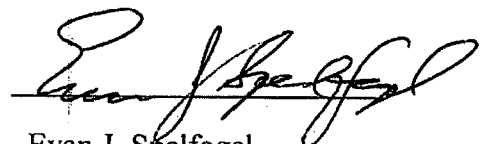
3. The parties agree that each party shall bear its own costs, expenses, attorneys' fees, and disbursements relating to Plaintiff's above-referenced unjust enrichment claim and/or relating to Defendants' above-referenced breach of contract counterclaim.

4. Nothing herein shall be interpreted to waive Plaintiff's right to appeal the Court's March 14, 2018 dismissal of her Fair Labor Standards Act claims and/or New York Labor Law claims.

This Stipulation has been entered into on this 10TH day of April, 2018 by and between counsel for all parties, as follows:


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William Ivers

SO ORDERED,


J. PAUL OETKEN
United States District Judge

DATE: 4/11/18